

AN ACT

ENTITLED, An Act to limit the use of information contained in certain commitment documentation related to drug offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 34-20A be amended by adding thereto a NEW SECTION to read as follows:

The petition for commitment, written application, and written report to the circuit court and the resulting protective custody order required by § 34-20A-70 shall be sealed and may not be used for the purpose of enforcing the provisions of chapter 22-42 and chapter 22-42A against the person being committed. Any law enforcement official or prosecuting attorney may petition the circuit court to examine these documents, and the court may allow such examination upon a showing that the purpose of the examination is not to investigate a violation of chapter 22-42 or chapter 22-42A against the person being committed. However, any information obtained from the examination of the petition for commitment, written application, written report, or protective custody order may not be used against the person being committed in any prosecution for a violation of chapter 22-42 or chapter 22-42A.

An Act to limit the use of information contained in certain commitment documentation related to drug offenses.

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I certify that the attached Act
originated in the

SENATE as Bill No. 206

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 206
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State